	Application No.	Applicant(s)
Notice of Allowability	09/693,268	BASKEY ET AL.
	Examiner	Art Unit	
	Thu Ha T. Nguyen	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *response 10/16/05*.

2. ☒ The allowed claim(s) is/are *1-43*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some*   c)☐ None of the:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a)☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

      1)☐ hereto or 2)☐ to Paper No./Mail Date _____ .

    (b)☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

SALEH NAJJAR
SUPERVISORY PATENT EXAMINER

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should
the changes and/or additions be unacceptable to applicant, an amendment may
be filed as provided by 37 CFR 1.312. To ensure consideration of such an
amendment, it MUST be submitted no later than the payment of the issue fee.

2.   Authorization for this examiner's amendment was given in a
telephone interview with applicant's representative Ms. Elizabeth A. Stanek (Reg.
No. 48,568) on January 09, 2006.

3.   The application has been amended as follows:

In the claims

Claim 1:

1.   (Currently amended)   A method for type of service
classification of a communication request for an application executing on a
server, the method comprising the steps of:

providing an application plug-in associated with the application, the
application plug-in being in an operating system kernel of the server;

wherein the application plug-in performs the following steps:

receiving the communication request;

obtaining application level information from the received communication
request;

assigning a type of service classification to the received communication
request based on the obtained application level information; and

providing the assigned type of service classification information for the

communication request to a process executing on the server for processing

communications from the server responsive to the communication request.

Claim 20:

20.   (Currently amended)   A system for type of service

classification of a communication request for an application executing on a

server, the system comprising:

a communication process executing on the server that processes

communications between the server and a communication network associated

with the communication request based on an associated type of service

classification; and

an application plug-in process associated with the application an being in

an operating system kernel of the server that obtains application level information

from the received communication request, assigns the type of service

classification to the received communication request based on the application

level information and provides the assigned type of service classification to the

communication process.

Claim 22:

22.   (Currently amended)   A system for type of service

classification of a communication request for an application executing on a

server, the system comprising:

a communication process executing on the server that processes

communications from the server responsive to the communication request; and

an application plug-in associated with the application and being in an

operating system kernel of the server;

wherein the application plug-in further comprises:

means for receiving the communication request;

means for obtaining application level information from the received

communication request;

means for assigning a type of service classification to the received

communication request based on the obtained application level information; and

means for providing the assigned type of service classification information

for the communication request to the communication process.

Claim 33:

33.   (Currently amended)   A computer program product for type of

service classification of a communication request for an application executing on

a server, comprising: a computer-readable storage medium having computer-

readable program code embodied in said medium, said computer-readable

program code comprising:

application plug-in computer-readable program code associated with the

application for execution, the application plug-in computer-readable program

code being in an operating system kernel of the server;

wherein the application plug-in computer-readable program code further comprises:

computer-readable program code which receives the communication request;

computer-readable program code which obtains application level information from the received communication request;

computer-readable program code which assigns a type of service classification to the received communication request based on the obtained application level information; and

computer-readable program code which provides the assigned type of service classification information for the communication request to a process executing on the server for processing communications from the server responsive to the communication request.

Allowable Subject Matter

4.   Claims 1-43 are allowed.

The following is an examiner's statement of reasons for allowance: The prior arts or record fails to disclose or suggest system and method for type of service classification of a communication request for an application executing on a server comprising: providing an application plug-in associated with the application, wherein the application plug-in being in an operating system kernel of the server; wherein the application plug-in performs the steps of receiving the communication request; obtaining application level information from the received

communication request; assigning a type of service classification to the is

received communication request based on the obtained application level

information; and providing the assigned type of service classification information

for the communication request to a process executing on the server for

processing communications from the server responsive to the communication

request, in conjunction with all other limitations in the claims.

Any comments considered necessary by applicant must be submitted no

later than the payment of the issue fee and, to avoid processing delays, should

preferably accompany the issue fee. Such submissions should be clearly labeled

"Comments on Statement of Reasons for Allowance."

Conclusion

5.   Any inquiry concerning this communication or earlier

communications from the examiner should be directed to Thu Ha Nguyen, whose

telephone number is (571) 272-3989. The examiner can normally be reached

Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Najjar Saleh, can be reached at (571) 272-4006.

The fax phone numbers for the organization where this application or

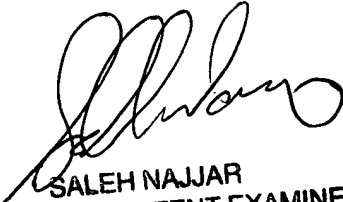proceeding is assigned are (571) 273-8300 for regular communications.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free).

ThuHa Nguyen

January 09, 2006

SALEH NAJJAR
SUPERVISORY PATENT EXAMINER